

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

OREXO AB,

Plaintiff,

v.

MYLAN PHARMACEUTICALS INC. and  
MYLAN INC.,

Defendants.

Civil Action No. 3:11-cv-3788-FLW-LHG

Hon. Freda L. Wolfson, U.S.D.J.  
Hon. Lois H. Goodman, U.S.M.J.

Document Filed Electronically

**DECLARATION OF CONSTANTINE KOUTSOUVAS  
IN SUPPORT OF DEFENDANTS' OPENING CLAIM CONSTRUCTION BRIEF**

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Plaintiffs Mylan Pharmaceuticals Inc. and  
Mylan Inc.*

**DECLARATION OF CONSTANTINE KOUTSOUBAS  
IN SUPPORT OF DEFENDANTS' OPENING CLAIM CONSTRUCTION BRIEF**

I, Constantine Koutsoubas, hereby declare as follows:

1. I am an associate in the law firm Kelley Drye & Warren LLP, counsel for Defendants/Counterclaim Plaintiffs Mylan Pharmaceuticals Inc. and Mylan Inc. (collectively "Mylan").

2. I am a member in good standing of the Bar of the State of Illinois (2007), as well as the following courts: United States Court of Appeals for the Federal Circuit (2010) and United States District Court for the Northern District of Illinois (2007).

3. I submit this Declaration in support of Mylan's Opening Claim Construction Brief.

4. I have personal knowledge of the facts stated in this Declaration and am competent to testify to the same.

5. I submit this Declaration to authenticate and provide to the Court certain documents cited to and referenced in Defendants' Opening Claim Construction Brief and to provide any other information relevant thereto.

6. Attached hereto as Exhibit 1 is a true and correct copy of U.S. Patent No. 6,761,910 B1 ("the '910 patent") entitled "PHARMACEUTICAL COMPOSITION FOR THE TREATMENT OF ACUTE DISORDERS."

7. Attached hereto as Exhibit 2, in Parts 1–2, is a true and correct copy of the prosecution history of the '910 patent as produced by Plaintiff Orexo AB, bates numbers ORM\_00000009–ORM\_00000249.

8. Attached hereto as Exhibit 3 is a true and correct copy of European Patent Publication No. 0 324 725 A1 ("Nyström") entitled "A pharmaceutical composition."

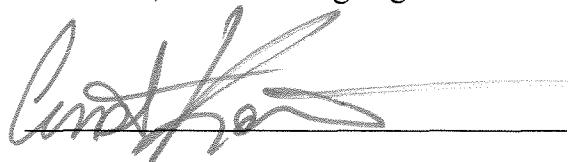
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I, CONSTANTINE KOUTSOUVAS, hereby declare under penalty of perjury under 28 U.S.C. § 1746 and the laws of the United States of America, that the foregoing Declaration is true and correct.

Dated: October 5, 2012



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Constantine Koutsouvas